



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application of:

Rao et al.

Serial No.: 10/789,465

Filed: February 27, 2004

For: PERSISTENT EXPRESSION OF

CANDIDATE MOLECULE IN PROLIFERATING STEM AND

PROGENITOR CELLS FOR DELIVERY OF

THERAPEUTIC PRODUCTS

Confirmation No.: 5295

Examiner: Q. Nguyen

Group Art Unit: 1633

Attorney Docket No.: 2923-5456.1US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 1, 2006

Date

Leta M. Howard
Name (Type/Print)

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of U.S. patents are not being submitted pursuant to M.P.E.P. 609 III A(2). Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

#### Serial No. «Patent Application No»

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

#### U.S. Patent Documents

U.S. Patent No.	Publication Date	<u>Patentee</u>	
US - 5,639,618	Jun. 17, 1997	Gay	

### **Other Documents**

RAO, MAHENDRA S., Multipotent and Restricted Precursors in the Central Nervous System, The Anatomical Record (NEW ANAT.) 257:137-148, 1999

RAO et al., Precursor cells for transplantation, Progress in Brian Research Vo. 128, Copyright 2000 Elsevier Science B.V., pages 273 - 292

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

## Serial No. «Patent Application No»

This Supplemental Information Disclosure Statement is filed after the mailing date of the final Office Action under 37 C.F.R. § 1.113, but before payment of the issue fee.

Respectfully submitted,

Krista Weber Powell Registration No. 47,867

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Date: May 1, 2006

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Enclosures: Form PTO-1449 or PTO/SB/08

Copy of documents cited

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Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

 Complete if Known

 Application Number
 10/789,465

 Filing Date
 February 27, 2004

 First Named Inventor
 Rao et al.

 Group Art Unit
 1633

 Examiner Name
 Q. Nguyen

 Attorney Docket Number
 2923-5456.1US

(use as many sheets as necessary)
Sheet 1 of 2

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**U.S. PATENT DOCUMENTS** Name of Patentee or Applicant of Document Number Pages, Columns, Lines, Where Relevant Cite **Publication Date** Examiner Cited Document Initials \* No.1 MM-DD-YYYY Passages or Relevant Number - Kind Code<sup>2</sup> (if known) Figures Appear US-5,639,618 Jun. 17, 1997 Gay US-US-US-US-US-US-US-US-US-US-US-US-US-US-US-US-

	I	FOREIGN P Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,	
Examiner Initials*	Cite No. <sup>1</sup>	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Applicant of Cited  Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Substitute for form 1449A/PTO	Complete if Known		
INFORMATION DISCLOSURE	Application Number	10/789,465	
INFORMATION DISCLOSURE	Filing Date	February 27, 2004	
STATEMENT BY APPLICANT	First Named Inventor	Rao et al.	
	Group Art Unit	1633	
(use as many sheets as necessary)	Examiner Name	Q. Nguyen	
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		RAO, MAHENDRA S., Multipotent and Restricted Precursors in the Central Nervous System, The Anatomical Record (NEW ANAT.) 257:137-148, 1999	
		RAO et al., Precursor cells for transplantation, Progress in Brian Research Vo. 128, Copyright 2000 Elsevier Science B.V., pages 273 - 292	

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